

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL CASE NO. 3:00-cr-00233-MR-1

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
MICHAEL SMITH,)
Defendant.)

ORDER

THIS MATTER is before the Court on the Defendant's "Motion to Obtain Sentencing Transcripts" [Doc. 118].

The Court previously denied the Defendant's request for a copy of his sentencing transcripts at the Government's expense. [Doc. 117]. The Defendant now renews his request. [Doc. 118].

The Defendant again has failed to demonstrate a particularized need for the requested transcripts. See United States v. MacCollom, 426 U.S. 317, 326-27 (1976); Jones v. Superintendent, Va. State Farm, 460 F.2d 150, 152 (4th Cir. 1972). As grounds for his motion, the Defendant contends that “his counsel erred by not conducting any investigation in the prosecution’s case and/or into any defensive strategies.” [Id. at 2]. There are, however, no post-conviction proceedings pending before the Court.

Having failed to demonstrate a particularized need for the requested pleadings, the Defendant's motion must be denied.

IT IS, THEREFORE, ORDERED that the Defendant's "Motion to Obtain Sentencing Transcripts" [Doc. 118] is hereby **DENIED**.

IT IS SO ORDERED.

Signed: September 5, 2014



Martin Reidinger
United States District Judge

